

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY,
PHARMACIA, LLC, and
SOLUTIA, INC.,

Plaintiffs,

v.

MAGNETEK, INC., *et al.*,

Defendants.

Cause No. 4:23-cv-00204-HEA

CORNELL-DUBILIER ELECTRONICS, INC.’S
MOTION TO DISMISS

Defendant Cornell-Dubilier Electronics, Inc. (“CDE”) respectfully moves to dismiss Plaintiffs’ First Amended Complaint for the reasons stated in the accompanying Memorandum in support of Cornell-Dubilier Electronics, Inc.’s Motion to Dismiss pursuant to Rule 12(b)(2) and (6) of the Federal Rules of Civil Procedure. CDE is filing this individual Motion in addition to joining the Joint Motion to Dismiss Counts I–IV and VII of Plaintiffs’ First Amended Petition of Defendants General Electric Co., Paramount Global, Kyocera AVX Components Corp., CDE, and The Gillette Company, LLC, and the supporting Brief, on issues common to those Defendants.

WHEREFORE, as to CDE specifically, this Court should (1) dismiss the First Amended Petition in its entirety for lack of personal jurisdiction; (2) dismiss the First Amended Petition to the extent it is barred by the statute of limitations; or (3) dismiss Count V (negligence) for failure to state a claim upon which relief can be granted.

Respectfully submitted,

CORNELL-DUBILIER ELECTRONICS, INC.

By its attorneys,

/s/ Benjamin J. Wilson

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Dated: May 1, 2023

CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which sent notification of such filing to all counsel and parties of record who have appeared.

/s/ Benjamin J. Wilson